

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SHARNELL HORNE,

Plaintiff,

v.

CITY OF SEATTLE,

Defendant.

CASE NO. C06-607-MJP-MJB

ORDER DENYING MOTION  
TO COMPEL DISCOVERY

Now before the Court is Plaintiff's Motion to CR 37 Submission Regarding Request for Production No. 17, which this Court construes as a motion for order compelling discovery. The Court, having reviewed Plaintiff's motion and the remainder of the record, hereby finds and ORDERS:

(1) Federal Civil Rule 37 requires that a motion for an order compelling discovery "must include a certification that the movant has in good faith conferred or attempted to confer with the party failing to make the discovery in an effort to secure the information or material without court action." Fed. R. Civ. P. 37(a)(2)(A). Local Civil Rule (CR) 37 provides that "[a] good faith effort to confer with a party or person not making a disclosure or discovery requires a face-to-face meeting or a telephone conference." CR 37(a)(2)(A). In the present case, Plaintiff has failed to include the required certification with her motion demonstrating that she has in good

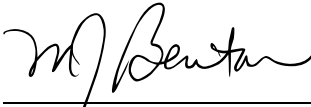
ORDER DENYING MOTION  
TO COMPEL DISCOVERY

Page - 1

1 faith conferred or attempted to confer with Defendant in an effort to secure the discovery  
2 identified in this motion as Plaintiff's Request for Production 17.

3 (2) Accordingly, Plaintiff's motion to compel discovery (Dkt. # 19) is DENIED.

4 DATED this 5<sup>th</sup> day of September, 2006.

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7 MONICA J. BENTON  
8 United States Magistrate Judge  
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25 ORDER DENYING MOTION  
26 TO COMPEL DISCOVERY

Page - 2